IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.4309 OF 2007
IN
SUIT NO.539 OF 1989

M/s.X-Ray Engineering Company India (Pvt.) Ltd. ..Plaintiff

V/s.

Jovial Corporation & ors ..Defendants

Mr.Raj Patel i/b.M/s.K.V.Aiyar & Associates, advocate, for plaintiff
Mr.R.D.Dave i/b.M/s.N.N.Vaishnawa & Co., advocate, for defendant No.1

CORAM : V.C.DAGA, J.

DATE : 11TH DECEMBER, 2007

P.C.

1. Learned counsel appearing for defendant No.1 (renamed/substituted defendant) has taken out Notice of Motion with a prayer to take Written Statement on record alongwith an undertaking on behalf of defendant No.1 to deposit Rs.5,00,000/- within four weeks from 5th December, 2007 subject to compliance of the undertaking Written Statement is

taken on record. The matter to appear on board on 8th January, 2008 for framing issues. In the meanwhile, both parties are directed to file the documents for their defence and complete the process of discovery, introgation and inspection. By that time, in the event, the documents are denied by either of the party they would be permitted to lead the evidence before this Court to prove those documents. Plaintiff undertakes to supply copy of the amended plaint.

2. Stand over to 8th January, 2008.

(**V.C.DAGA, J.**)